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**ORDINANCE NO. 2019-**

**AN ORDINANCE AMENDING CHAPTERS 12, 14, 19, AND 21 OF THE CITY CODE  
REGARDING CROSS REFERENCES TO RECREATIONAL VEHICLE REGULATIONS IN  
CHAPTER 21**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 12 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 12**

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**ARTICLE I: GENERAL PROVISIONS**

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**§ 12.01.01 DEFINITIONS.**

\*\*\*

**NUISANCE SERVICE CALL.** Public officer response to a verified incident of any activity, conduct or condition occurring on private property that is likely to unreasonably interfere with the quiet enjoyment of neighboring properties or the safety, health, morals, welfare, comfort or repose of the residents therein or misuse city resources, including without limitation:

\*\*\*

(27) Illegal parking or storage of recreational vehicles in violation of § ~~[19.50.03]~~ 21.301.13 of this city code;

\*\*\*

**ARTICLE II: NUISANCE CONDUCT AND CONDITIONS  
DIVISION A: PUBLIC NUISANCE PROPERTY CONDITIONS**

\*\*\*

**§ 12.03 PROPERTY CONDITIONS CONSTITUTING A PUBLIC NUISANCE OR PUBLIC HEALTH NUISANCE.**

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(29) At single-family and two-family dwelling units, the parking or storage of more than four vehicles per unit outside of a garage or on the street. Counting of vehicles: vehicles temporarily parked at the residence for visitation or business service reasons, Class I recreational vehicles as defined in § ~~[19.50.03]~~ 21.301.13 of this code, or any vehicle parked or stored within a garage shall not be counted for the purposes of this numerical limitations. All other vehicles, whether screened or not, including abandoned vehicles, junk vehicles, inoperable vehicles as defined in § 8.04 of this code shall be counted as vehicles for purposes of determining the number of vehicles parked or stored outside of a garage or on the street. Nothing in this section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this code. Only one vehicle per unit may be a vehicle with a snowplow attached or other Type II vehicle. Type II vehicles will be counted as a vehicle for the purposes of this section.

\*\*\*

**§ 12.04 PUBLIC NUISANCE OR PUBLIC HEALTH NUISANCE ABATEMENT ORDERS.**

It shall be the duty of the City Manager or the Manager's designee to determine and declare the existence of a public nuisance pursuant to city code § 12.03, M.S. §§ 609.74[4]-.745 or M.S. §§ 617.80 et seq., or a public health nuisance pursuant to M.S. § 145A.01 et seq. or a clandestine lab site pursuant to M.S. § 152.0275, all as amended from time to time.

The City Council of the City of Bloomington, Minnesota ordains:

Section 2. That Chapter 14 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

## **CHAPTER 14: LICENSES AND PERMITS**

\*\*\*

### **ARTICLE VI: TIME-OF-SALE HOUSING EVALUATIONS AND MANUFACTURED HOME PARK REGULATIONS**

\*\*\*

#### **DIVISION E: MANUFACTURED HOME PARKS, RECREATIONAL CAMPING AREAS AND YOUTH CAMPS**

\*\*\*

#### **§ 14.545 STANDARDS FOR HEALTH, SAFETY AND NUISANCE PREVENTION.**

\*\*\*

(r) *Prohibited uses and structures.* The licensee must not allow or permit any illegal activity on the licensed premises, including without limitation the following:

\*\*\*

- (2) The parking or storage of any Type II or Type III vehicles as defined by § 21.301.06(m) or the storage of recreational vehicles as defined by § ~~[19.50.03]~~21.301.13;

The City Council of the City of Bloomington, Minnesota ordains:

Section 3. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

## **CHAPTER 19: ZONING**

### **ARTICLE I: GENERAL PROVISIONS**

\*\*\*

#### **DIVISION B: DEFINITIONS**

#### **§ 19.03 DEFINITIONS.**

\*\*\*

**MANUFACTURED HOME.** Synonymous with mobile home, a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. This term also includes any transportable structure which meets all the requirements of state and federal law and with respect to which the manufacturer has filed a certification with the state and has received the certification seal displayed on the structure. This may include transportable structures such as for an office or school space. It does not refer to recreational vehicles which are defined elsewhere in § ~~[19.50.03]~~21.301.13 of this code.

\*\*\*

## **ARTICLE IV: DISTRICT REGULATIONS**

\*\*\*

#### **§ 19.48 ~~[EXCEPTIONS TO MINIMUM FLOOR AREA REQUIREMENTS.]~~ RESERVED**

~~[(a) In districts where restaurants are allowed as permitted or conditional uses and the minimum floor area requirements of the district for the principal building are in excess of 10,000 square feet, the minimum floor area requirements for restaurants is 10,000 square feet. If, however, the restaurant is~~

~~included in or is a part of a principal building which meets the minimum floor area requirements of §§ 19.41 and 21.301.01 of this code, there shall be no required minimum floor area for that restaurant.~~

~~(b) The minimum floor area requirements of § 19.41(c) shall not be applicable to:~~

~~(1) Planned business developments; or~~

~~(2) Gasoline service stations when they are included in an integrated roadside development.]~~

\*\*\*

## ARTICLE V: PERFORMANCE STANDARDS

\*\*\*

### § 19.53 TREE PRESERVATION.

(h) *Reforestation plan.* All plat applications that would create one or more new parcels in the R-1, R-1A and RS-1 Zoning Districts must include a reforestation plan if the amount of significant tree caliper inches to be removed or disturbed as shown on the tree survey and tree preservation plans exceeds the removal threshold. The reforestation plan must be prepared and signed by a registered landscape architect or forester and must comply with the following criteria.

\*\*\*

(8) Trees to be planted must be from certified nursery stock as defined and controlled by M.S. Chapter 18[G]H, as it may be amended from time to time, the Plant Pest Act.

\*\*\*

## ARTICLE X: SIGN REGULATIONS

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### DIVISION C: GENERAL REGULATIONS

\*\*\*

### § 19.105 REGULATED SIGNS EXEMPT FROM OBTAINING A SIGN PERMIT.

\*\*\*

(c) *Regulated signs exempt from permit requirements.*

\*\*\*

(5) *Flags.*

(A) *Flags, noncommercial.* Noncommercial flags are exempt from obtaining a permit, provided the poles on which they are mounted shall be no taller than 12 feet above the highest outside wall of the tallest building on the site, are placed a minimum of ten feet from the public right-of-way, and maintain a side and rear yard setback not less than the height of the pole. A maximum of two noncommercial flags are permitted per acre. Noncommercial flags are permitted on light poles only if the flag is above the light source and meets all other requirements in this section. The American flag may be illuminated to meet United States Flag Code rules. All flag lighting must comply with § 21.301.07(c)([5]6) of the city code.

| Use Type                              | Zoning District |     |     |     |     |     |     |     | References; See Listed Section |
|---------------------------------------|-----------------|-----|-----|-----|-----|-----|-----|-----|--------------------------------|
|                                       | B-1             | B-2 | B-4 | C-1 | C-2 | C-3 | C-4 | C-5 |                                |
| <b>Social and Cultural Facilities</b> |                 |     |     |     |     |     |     |     |                                |

|                   |  |   |    |  |  |  |    |    |                         |
|-------------------|--|---|----|--|--|--|----|----|-------------------------|
| Place of assembly |  | C | CL |  |  |  | CL | CL | 19.63, <u>21.302.06</u> |
|-------------------|--|---|----|--|--|--|----|----|-------------------------|

(e) *Industrial Zoning districts.*

| Use Type                              | Zoning District |     |     |     |    |      | References; See Listed Section |
|---------------------------------------|-----------------|-----|-----|-----|----|------|--------------------------------|
|                                       | IT              | I-1 | I-2 | I-3 | IP | FD-2 |                                |
| Temporary Uses                        |                 |     |     |     |    |      |                                |
| Temporary retail sales, donated items | P               | P   | P   | P   | P  | P    | 14.61, 21.302.3[4]3            |

(f) *Specialized zoning districts.*

| Use Type                       | Zoning District |    | References<br>See Listed Section |
|--------------------------------|-----------------|----|----------------------------------|
|                                | CX-2            | LX |                                  |
| Social and Cultural Facilities |                 |    |                                  |
| Place of assembly              | P               |    | 19.63, <u>21.302.06</u>          |

\*\*\*

**§ 21.301.06 PARKING AND LOADING.**

\*\*\*

(i) *Single-family and two-family residential driveways and off-street parking.*

\*\*\*

(4) *Vehicle parking.* The parking and storage of vehicles is prohibited on all portions of single- and two-family sites except within a garage or upon legally constructed driveways or off-drive parking areas. The storage of recreational vehicles must conform with the standards of § [19.50.03]21.301.13 of this code.

\*\*\*

## (m) Parking and storage of vehicles and trailers in residential zones.

(1) *Recreational vehicles.* This section does not regulate recreational vehicles. Recreational vehicles are defined and regulated in § [19.50.03]21.301.13.

(2) *Vehicles.*

\*\*\*

(C) *Standards.*

\*\*\*

(iv) *Limitations on quantity.*

\*\*\*

(cc) Vehicles temporarily parked at a residence for visitation or business service reasons, Class I recreational vehicles (as defined in § [19.50.03]21.301.13 of this code), or any vehicle parked or stored within a garage will not be counted for the purposes of these numerical limitations.

\*\*\*

(4) *Exceptions.* The parking and storage limitations and requirements of this section are subject to the following exceptions:

\*\*\*

(E) Trailers that are recreational vehicles as defined by § [19.50.03]21.301.13 may be parked or stored on a site if properly parked or stored in accordance with said § [19.50.03]21.301.13.

\*\*\*

(g) *Where fences are required.* At times this code requires fences to protect the public health, safety and welfare.

\*\*\*

(4) *Screening.* See

§§ 8.16, 10.05, 10.29.05, 10.38, 10.57, 19.31.01, 19.49, ~~[19.50.03]~~21.301.13, 19.52, 19.62.01, 19.63, 19.63.07, 21.206.04, 21.301.05, 21.301.06, 21.301.16, 21.301.17, 21.302.01, 21.302.02, 21.302.13, 21.302.16, and 21.302.31 for specifications on required screening standards, to include fences as a method of screening.

\*\*\*

**§ 21.302.04 TWO-FAMILY DWELLINGS.**

\*\*\*

(c) *Standards.*

\*\*\*

(10) *Recreational vehicles.* Recreational vehicles on two-family dwelling unit sites must meet the requirements of city code § ~~[19.50.03]~~21.301.13 and are limited to one recreational vehicle per unit stored outside.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney

ORDINANCE NO. 2019-

AN ORDINANCE TO CLARIFY STORAGE SPACE DIMENSION REQUIREMENTS, THEREBY  
AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

\*\*\*

DIVISION B: USE STANDARDS

\*\*\*

§ 21.302.02 RESIDENTIAL USES IN COMMERCIAL ZONING DISTRICTS.

\*\*\*

(c) *Density.*

\*\*\*

(6) *Storage space.* A fully enclosed, lockable storage space, located outside the unit (excluding accessibility and senior citizen housing), must be provided for each dwelling unit.

\*\*\*

(C) *Accessibility and senior citizen housing.* A designated storage space of at least 96 cubic feet, with minimum dimensions at least four feet high, four feet wide and four feet deep must be located within each dwelling unit ~~[and must have a minimum of a four foot horizontal dimension and a minimum of a four foot vertical dimension and be at least 96 cubic feet]~~.

\*\*\*

§ 21.302.09 MULTIPLE-FAMILY DWELLING DESIGN AND PERFORMANCE STANDARDS.

\*\*\*

(d) *Performance standards.*

\*\*\*

(7) *Storage space.* A fully enclosed, lockable storage space, located outside the unit (excluding accessibility and senior citizen housing), must be provided for each dwelling unit.

\*\*\*

(C) *Accessibility and senior citizen housing.* A designated storage space of at least 96 cubic feet, with minimum dimensions at least four feet high, four feet wide and four feet deep must be located within each dwelling unit ~~[and must have at least four feet horizontal dimensions and a four foot vertical dimension and be at least 96 cubic feet]~~.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
Mayor

APPROVED:

\_\_\_\_\_  
City Attorney



**ORDINANCE NO. 2019-  
AN ORDINANCE TO CATEGORIZE COTTAGE FOOD OPERATIONS AS A TYPE 1 HOME  
BUSINESS AND TO PROHIBIT FOOD ESTABLISHMENTS AS DEFINED HEREIN FROM  
OPERATING AS A HOME BUSINESS, THEREBY AMENDING CHAPTER 21 OF THE CITY  
CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE III: DEVELOPMENT STANDARDS**

\*\*\*

**Division B: Use Standards**

\*\*\*

**§ 21.302.13 HOME BUSINESSES.**

\*\*\*

**(c) *Types of home businesses.***

(1) *Type I.* Type I home businesses are of a type that the City Council has historically found do not adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type I home businesses are listed below. This list is intended to be illustrative not exhaustive.

\*\*\*

(E) Watch repair, dressmaking, tailoring and similar crafts; ~~[or]~~

(F) Animal grooming for no more than four animals at any one time~~[-];~~

(G) Firearm Office where no firearm(s) or ammunition are stored or inventoried on the premises~~[-];or~~

(H) Cottage food operations, subject to the requirements in M.S. § 28A.152, as it may be amended from time to time.

(2) *Type II.* Type II home businesses are businesses of a type that the City Council has historically found to have the potential to adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type II home businesses are listed below. This list is intended to be illustrative not exhaustive.

\*\*\*

(B) Repair shops not expressly prohibited by the city code;

(C) ~~[Cottage food operations, subject to the requirements in M.S. § 28A.152, as it may be amended from time to time;]~~ Reserved

\*\*\*

(3) *Prohibited home businesses.* The following home businesses are prohibited without limitation:

\*\*\*

(H) Body art establishments; ~~[and]~~

(I) Animal kenneling~~[-];and~~

(j) Food establishments as defined in Minnesota Rules 4626.0020 subpart 35, as it may be amended from time to time.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

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City Attorney

This update will extend the compliance date for exterior lighting.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO CHANGE LIGHTING COMPLIANCE DATE, THEREBY AMENDING  
CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE V: PERFORMANCE STANDARDS**

\*\*\*

**§ 21.301.07 EXTERIOR LIGHTING.**

(i) *Date for final compliance.* Notwithstanding any of the above, all site lighting within the city must be in compliance with the minimum illumination levels at ground level as specified in this section no later than December 31, 202[0]4, unless the site or portion thereof meets one of the following exemptions:

- (1) The site has an approved lighting plan with installation on or after August 19, 1996, and the lighting has been maintained at the levels on the approved plan;
- (2) Reserved;
- (3) The site has an approved lighting plan with installation prior to August 19, 1996, that documents illumination levels of no less than 75% of the illumination levels required in subsections (c)(11) or (c)(12) above for the respective use, provided code complying light fixtures are used and illumination levels are maintained as per the approved plan;
- (4) The site or portion thereof is mapped and scheduled for acquisition by January 1, 202[2]6, by a federal, state or local government agency. In the event that only a portion of the site is mapped, only that portion is exempt from compliance;
- (5) The site is planned for redevelopment prior to January 1, 202[2]6, as evidenced by an approved preliminary development plan; or
- (6) The City Council has approved a variance exempting compliance due to a hardship or special circumstance.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

This update will apply exterior materials and finish requirements to Conservation zoning district.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO APPLY EXTERIOR MATERIAL AND FINISH REQUIREMENTS TO  
CONSERVATION ZONING DISTRICT, THEREBY AMENDING CHAPTER 19 OF THE CITY  
CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19**

\*\*\*

**ARTICLE V: PERFORMANCE STANDARDS**

\*\*\*

**§ 19.63.08 EXTERIOR MATERIALS AND FINISH.**

- (a) *Purpose.* The City Council finds that it is necessary to regulate the exterior finish and appearance of all primary and accessory buildings and structures that are erected in all of the primary nonresidential zoning districts in the city in order to ensure the consistency in quality, compatibility and character of buildings within comparable zoning districts. The regulation of exterior materials and building construction assures consistent provision of both a high level of structural durability relative to impacts from natural and human-made forces over time and a safe environment for those occupants, equipment and goods within the structure. The provision of a quality exterior finish compliments the building construction by reducing maintenance needs, providing a surface more resistant to damage, assisting in maintaining structure and property value over a longer period, contributing substantially to the compatibility and character of its neighborhood. A quality exterior finish also provides for improved health, safety and welfare of occupants and enclosed goods or equipment by providing increased protection through durability, strength, security, damage resistance and stability.
- (b) The following regulations apply to all nonresidential primary and accessory buildings and their additions in the following zoning districts:
- Single-Family Residential R-1 Districts
  - Single-Family Residential R-1A Districts
  - Large Lot Single-Family Residential RS-1 Districts
  - Townhouse Residential R-3 Districts
  - Multiple-Family Residential R-4 Districts
  - Multiple-Family Residential RM-12 Districts
  - Multiple-Family Residential RM-24 Districts
  - Conservation SC District.
- (1) *Coating of exterior walls.* No existing uncoated exterior wall finish material approved by the City Council as part of a development approval process shall be coated after the effective date of this section except for the following:
- (A) As approved in subsections (f), (g), and (h) below;
  - (B) Those portions of foundation walls above finished grade may be coated or sealed;
  - (C) Secondary materials may be coated or sealed; and
  - (D) All exterior wall surfaces and secondary materials that were coated prior to the effective date of this section or allowed to be coated after that date by reason of the granting of development approval, administrative approval or a variance may be maintained, to include, sealing and recoating, in a manner appropriate to that wall finish material or trim and consistent with that existing surface treatment or any prior approval by the issuing authority.

**Item E**

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

This update will permit Pre-K education where K-12 currently is permitted

**ORDINANCE NO. 2019-**

**AN ORDINANCE EXPANDING THE DEFINITION OF SCHOOLS TO INCLUDE ON-SITE  
EARLY LEARNING PROGRAMS, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19**

\*\*\*

**ARTICLE I: GENERAL PROVISIONS**

\*\*\*

**DIVISION B: DEFINITIONS**

\*\*\*

**§ 19.03 DEFINITIONS**

\*\*\*

***SCHOOL (K-12).*** An establishment primarily engaged in providing instructional services to elementary students including associated early learning programs or secondary students with a curriculum that complies with state regulations.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney

This update will change the reference to determine noise contours from FAA Part 150 to MSP airport annual noise contour report, which is consistent with other sections of the City Code.

**ORDINANCE NO. 2019- \_\_\_\_**

**AN ORDINANCE UPDATING THE METHODOLOGY FOR DETERMINING FORECAST AIRCRAFT NOISE LEVELS IN THE HX-R ZONING DISTRICT, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19**

\*\*\*

**ARTICLE III: ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES**

\*\*\*

**§ 19.29 HIGH INTENSITY MIXED USE WITH RESIDENTIAL (HX-R) DISTRICT.**

\*\*\*

(f) *Residential uses required.*

(1) *Minimum density.* Development within the HX-R Zoning District must include at least 30 residential dwelling units per acre of gross site area, with the following exceptions.

(A) Residential uses are prohibited in areas forecast to have average future aircraft noise levels at or above 70 dB DNL.

(B) For the purposes of calculating the required number of residential dwelling units for a site within the HX-R Zoning District, the land area, as calculated by city staff, of the site forecast to be exposed to average future aircraft noise levels at or above 70 dB DNL will be subtracted from the overall site area.

(C) On sites in which over two-thirds of the site area is forecast to be exposed to average future mitigated aircraft noise levels at or above 70 dB DNL, residential uses in the area with less than 70 dB DNL are allowed but not required.

(D) Forecast aircraft noise levels will be determined based on the ~~[most recent MSP Part 150 aircraft noise contour map approved by the Federal Aviation Administration that incorporates the aircraft noise impacts of Runway 17-35.]~~ highest noise level shown on either the most recent annual noise contour map published in the Minneapolis St. Paul International Airport Annual Noise Contour report or the noise level forecast for the most distant year included in the most recent comprehensive plan or environmental documents adopted by the Minneapolis-St. Paul International Airport by the Metropolitan Airports Commission.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will modify language in the Bluff Development Overlay District to clarify that permits shall not be issued in conflict with Bluff Development Overlay District.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO UPDATE AND CLARIFY LANGUAGE REGARDING ENFORCEMENT  
LANGUAGE OF BLUFF DEVELOPMENT OVERLAY DISTRICT, THEREBY AMENDING  
CHAPTER 19 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19**

\*\*\*

**ARTICLE III: ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES**

\*\*\*

**§ 19.38.12 BLUFF DEVELOPMENT (BP-2) OVERLAY DISTRICTS.**

(j) Enforcement. The issuing authority shall issue no permit for development within the Bluff Development Overlay District which would be in conflict with the provisions of the Bluff ~~[Protection]~~ Development Overlay District. Any permit issued in conflict with the provisions of the Bluff Development Overlay District shall be null and void. The following provisions shall apply to the Bluff Development Overlay District.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney



This update will permit the issuing authority the ability to waive the development review committee for platting if appropriate.

**ORDINANCE NO. 2019- \_\_\_\_**

**AN ORDINANCE TO ALLOW WAIVER OF DRC REVIEW OF PLATTING APPLICATIONS WHEN APPROPRIATE, THEREBY AMENDING CHAPTER 22 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 22 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 22**

\*\*\*

**DIVISION C: PROCESS**

\*\*\*

**§ 22.08 APPLICATION PROCESSES AND FEES.**

\*\*\*

(b) *Table key.* The following labeling conventions apply to the table in this section:

(1) DRC means Development Review Committee; The Issuing Authority may waive DRC review.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will clarify that parking lot drive aisles and entrances must be clear of obstruction for all required access, fire lanes, and parking.

**ORDINANCE NO. 2019- \_\_\_\_**

**AN ORDINANCE CLARIFYING THAT REQUIRED DRIVE AISLES, ENTRANCES, FIRE LANES, AND PARKING SPACES MUST BE CLEAR OF OBSTRUCTIONS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE III: DEVELOPMENT STANDARDS**

\*\*\*

**§ 21.301.06 PARKING AND LOADING.**

(c) *Design.*

\*\*\*

(2) *Other land uses.*

(A) *Site plans.* Site plans drawn to scale and dimensioned must show proposed parking spaces including accessibility spaces, driveways, loading areas, landscaping and screening, and the parking area must conform to such site plans.

(B) ~~[Drive aisles and entrances. Drive aisles and entrances must be kept clear of obstructions by appropriate design.]~~ Obstructions. All required access, entrances, fire lanes, and parking spaces must be kept clear of obstructions that prevent the intended use.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update clarifies set back requirements for loading docks, landings and berths.

**ORDINANCE NO. 2019- \_\_\_\_**

**AN ORDINANCE TO CLARIFY SETBACK REQUIREMENTS FOR LOADING DOCKS, LANDINGS AND BERTHS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE III: DEVELOPMENT STANDARDS**

\*\*\*

**Division B: Use Standards**

\*\*\*

**§ 21.301.06 PARKING AND LOADING.**

\*\*\*

(j) *Off-street loading.*

(1) *Maneuvering space.* Space must be provided within the off-street loading area so that any maneuvering back into or out of a loading space can be conducted outside of any public right-of-way.

(2) *Location and design.* Loading areas must be located and designed to ensure that the entering and exiting vehicles do not disrupt vehicle and pedestrian circulation patterns.

(3) *Loading berth screening.* No loading berth for vehicles over two ton capacity may be closer than 100 feet to any residential district unless completely enclosed by building walls not less than eight feet in height.

(4) *Noise.* Where noise from loading or unloading activity is audible in a residential district, pursuant to § 10.30 of this code, the activity shall terminate between the hours of 10:00 p.m. and 7:00 a.m.

(5) *Setbacks.* Components of loading docks that are enclosed or covered must meet the setback requirements of the underlying zoning district. Components of loading docks, including landings, berths, and ramps that are not enclosed or covered must meet setback requirements for drive aisles.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will add Major Commercial Golf Facility as a use in certain zoning districts and establish performance standards.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO AMEND THE DEFINITION OF MAJOR COMMERCIAL GOLF FACILITY AND ADD AS A USE IN CERTAIN ZONING DISTRICTS, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19  
ARTICLE I: GENERAL PROVISIONS**

\*\*\*

**DIVISION B: DEFINITIONS**

**§ 19.03 DEFINITIONS**

\*\*\*

***MAJOR COMMERCIAL GOLF FACILITY.*** A combined indoor and outdoor recreational golf driving range, not adjacent to a golf course, which may include associated uses such as a restaurant with or without entertainment, arcade, meeting facilities and ancillary sales of goods and services.

**ARTICLE III: ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USE**

\*\*\*

**§ 19.31.01 REGIONAL COMMERCIAL (CR-1) DISTRICTS.**

\*\*\*

(d) *Conditional uses.*

\*\*\*

(8) Vehicle rental accessory to Class I motor vehicle sales subject to the regulations set forth in § 19.63.07(e); ~~[and]~~

(9) Medical marijuana distribution facility~~[-];~~ and

(10) Major Commercial Golf Facility

\*\*\*

**§ 19.40.07 COMMERCIAL SERVICE DISTRICTS CS-0.5 AND CS-1.**

\*\*\*

(d) *Conditional uses.*

\*\*\*

(19) Type II home businesses pursuant to standards as set forth in § 21.302.13; ~~[and]~~

(20) Manufactured home parks pursuant to standards as set forth in § 21.302.10~~[-];~~ and

(21) Major Commercial Golf Facility

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE II: DISTRICTS AND USES**

\*\*\*

**DIVISION H: USES**

\*\*\*

**§ 21.209 USE TABLES**

\*\*\*

(d) *Neighborhood and Freeway Commercial Zoning Districts.*

| Use Type                       | Zoning District |     |     |     |     |     |     |     | References; See Listed Section |  |
|--------------------------------|-----------------|-----|-----|-----|-----|-----|-----|-----|--------------------------------|--|
|                                | B-1             | B-2 | B-4 | C-1 | C-2 | C-3 | C-4 | C-5 |                                |  |
| ***                            |                 |     |     |     |     |     |     |     |                                |  |
| Social and Cultural Facilities |                 |     |     |     |     |     |     |     |                                |  |
| ***                            |                 |     |     |     |     |     |     |     |                                |  |
| Major Commercial Golf Facility |                 |     |     | C   | C   | C   | C   |     | 21.302.14                      |  |

\*\*\*

**Article III: Development Standards**

\*\*\*

**DIVISION B: USE STANDARDS**

\*\*\*

**§ 21.302.14 [RESERVED.] Major Commercial Golf Facility.**

*(a) Abutting residential.* Major Commercial Golf Facilities are prohibited when abutting residentially zoned or residentially used property.

*(b) Airport Safety Zone.* Major Commercial Golf Facilities are prohibited in airport safety zone.

*(c) Trajectory Study.* A trajectory study identifying the anticipated trajectory of golf balls and anticipated mitigation measures to ensure safety of the surrounding areas is required.

*(d) Compliance with other sections.* Major Commercial Golf facilities must meet applicable standards within city code, including but not limited to:

(1) Refuse and recycling (§ 21.301.17);

(2) Landscaping (§ 19.52);

(3) Noise (§ 10.29.02);

(4) Height (§ 21.301.10);

(5) Parking (§ 21.301.06); and

(6) Lighting (§ 21.301.07).

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will clarify that uses not listed in the use tables are prohibited in all zoning districts.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO CLARIFY USES NOT LISTED IN THE USE TABLES ARE PROHIBITED, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE II: DISTRICTS AND USES**

\*\*\*

**Division H: Uses**

\*\*\*

**§ 21.209 USE TABLES.**

\*\*\*

(b) *Table key.* The following labeling conventions apply to each table in this section.

\*\*\*

(9) *Prohibited uses.* Uses not associated with a letter in the zoning district column are prohibited uses in the respective zoning district. Uses not listed are prohibited in ~~[the neighborhood and freeway commercial]~~ all zoning districts.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will add customarily incidental uses as an accessory use.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO ADD CUSTOMARILY INCIDENTAL USES AS AN ACCESSORY USE, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21**

\*\*\*

**ARTICLE II: DISTRICTS AND USES**

\*\*\*

**DIVISION H: USES**

\*\*\*

**§ 21.209 USE TABLES**

*(c) Residential Zoning Districts.*

| Use Type  | Zoning District |          |          |          |          |          |          |          |          | References;<br>See Listed<br>Section |
|---|-----------------|----------|----------|----------|----------|----------|----------|----------|----------|--------------------------------------|
|   | R-1             | R-1A     | RS-1     | R-3      | R-4      | RM-12    | RM-24    | RM-50    | RM-100   |                                      |
| ***<br><b>GENERAL</b>   |                 |          |          |          |          |          |          |          |          |                                      |
| ***<br><b>Other General Uses</b>  |                 |          |          |          |          |          |          |          |          |                                      |
| ***<br>Tower  | CL              | CL       | CL       | CL       | CL       | CL       | CL       | CL       | CL       | 19.63.05(b)                          |
| <u>Other uses customarily incidental and clearly subordinate to a permitted principal or conditional use.</u> | <u>P</u>        | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |                                      |

*(d) Neighborhood and Freeway Commercial Zoning Districts.*

| Use Type         | Zoning District |     |     |     |     |     |     |     | References;<br>See Listed<br>Section |
|------------------|-----------------|-----|-----|-----|-----|-----|-----|-----|--------------------------------------|
|                  | B-1             | B-2 | B-4 | C-1 | C-2 | C-3 | C-4 | C-5 |                                      |
| ***<br>GENERAL   |                 |     |     |     |     |     |     |     |                                      |
| ***<br>Accessory |                 |     |     |     |     |     |     |     |                                      |
| ***              |                 |     |     | CA  |     |     |     |     | 19.63.07( e )                        |

Item O

|   |          |          |          |          |          |          |          |          |  |
|---|----------|----------|----------|----------|----------|----------|----------|----------|--|
| Vehicle rental accessory to Class I motor vehicle sales   |          |          |          |          |          |          |          |          |  |
| <u>Other uses customarily incidental and clearly subordinate to a permitted principal or conditional use.</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> |  |

\*\*\*

(e) *Industrial Zoning districts.*

| Use Type  | Zoning District |          |          |          |          |          | References;<br>See Listed<br>Section |
|---|-----------------|----------|----------|----------|----------|----------|--------------------------------------|
|   | IT              | I-1      | I-2      | I-3      | IP       | FD-2     |                                      |
| ***<br><b>GENERAL</b>   |                 |          |          |          |          |          |                                      |
| ***<br><b>Accessory</b>   |                 |          |          |          |          |          |                                      |
| ***<br>Tower  | C               | C        | C        | C        | C        | C        | 19.63.05                             |
| <u>Other uses customarily incidental and clearly subordinate to a permitted principal or conditional use.</u> | <u>A</u>        | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> |                                      |

\*\*\*

(f) *Specialized zoning districts.*

| Use Type  | Zoning District |          | References<br>See Listed Section |
|---|-----------------|----------|----------------------------------|
|   | CX-2            | LX       |                                  |
| ***<br>GENERAL  |                 |          |                                  |
| ***<br>Accessory  |                 |          |                                  |
| ***<br>Tower  | CL              |          | 19.63.05                         |
| <u>Other uses customarily incidental and clearly subordinate to a permitted principal or conditional use.</u> | <u>A</u>        | <u>A</u> |                                  |

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney



This update will change some accessory uses to limited uses in industrial zoning districts.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO PERMIT LIMITED USES IN INDUSTRIAL ZONING DISTRICTS, THEREBY  
AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19  
ARTICLE I: GENERAL PROVISIONS  
DIVISION B: DEFINITIONS**

\*\*\*

**§ 19.03 DEFINITIONS**

\*\*\*

**ACCESSORY USE.** A subordinate use that is clearly and customarily incidental to the principal use of a building or premises; is operated for the benefit and convenience of the owner, customers, employees or visitors; that does not constitute more than 10% of the principal use floor area; that does not attract customers independently of the principal use; and that is located on the same lot as the principal building or use.

\*\*\*

**LIMITED USE.** A subordinate use that does not constitute more than 25% of the total floor area in a building.

\*\*\*

**CHAPTER 21**

\*\*\*

**ARTICLE II: DISTRICTS AND USES**

\*\*\*

**DIVISION H: USES**

\*\*\*

**§ 21.209 USE TABLES**

(a) Purpose. The use tables in this section depict the classification of land uses within zoning districts.

(b) Table key. The following labeling conventions apply to each table in this section.

(1) *Uses.* Uses are often defined in § 19.03. Uses not defined are subject to standard dictionary definitions.

\*\*\*

(5) *Accessory uses.* Uses identified in the zoning district column with the letter “A” are allowed as accessory uses in the respective zoning district as defined in § 19.03.

\*\*\*

(7) *Limited uses.* Uses identified in the zoning district column with the letter “L” are allowed as limited uses in the respective zoning district as defined in § 19.03.

(8) *Conditional limited uses.* Uses identified in the zoning district column with the letter “CL” are allowed as limited uses in the respective zoning district as defined in § 19.03 provided a conditional use permit is issued before the use commences.

\*\*\*

(e) *Industrial Zoning districts.*

**Item P**

| Use Type  | Zoning District |      |      |      |           |      | References; See Listed Section |
|---|-----------------|------|------|------|-----------|------|--------------------------------|
|   | IT              | I-1  | I-2  | I-3  | IP        | FD-2 |                                |
| GOVERNMENT, INSTITUTIONAL, OPEN SPACE               |                 |      |      |      |           |      |                                |
| Parks and Open Space                                |                 |      |      |      |           |      |                                |
| Community garden                                    | L[A]            | L[A] | L[A] | L[A] | L[A]<br>] | L[A] | 21.302.05(b)                   |
| ***   |                 |      |      |      |           |      |                                |
| RETAIL  |                 |      |      |      |           |      |                                |
| ***   |                 |      |      |      |           |      |                                |
| Motor Vehicle Services                              |                 |      |      |      |           |      |                                |
| Car wash adjacent to collector or arterial streets. |                 | L[A] |      |      |           |      |                                |
| ***   |                 |      |      |      |           |      |                                |
| Retail Sales and Services                           |                 |      |      |      |           |      |                                |
| ****<br>Financial institution - limited             | L[A]            | L[A] | L[A] | L[A] | L[A]      | L[A] |                                |
| ***<br>Pet services facility                        | [A]CL           |      |      | C    |           | C    |                                |
| ***<br>Therapeutic massage enterprise               | [A] L           |      |      |      |           |      | 14.259 to 14.275               |
| ***   |                 |      |      |      |           |      |                                |
| GENERAL   |                 |      |      |      |           |      |                                |
| Accessory   |                 |      |      |      |           |      |                                |
| ***<br>Antenna                                      | L[A]            | L[A] | L[A] | L[A] | L[A]      | L[A] | 19.63.05                       |
| ***   |                 |      |      |      |           |      |                                |
| Agriculture   |                 |      |      |      |           |      |                                |
| ***<br>Beekeeping                                   | L[A]            | L[A] | L[A] | L[A] | L[A]      | L[A] | 12.116, 21.302.05              |

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney

This update will update sign requirements related to illuminated freestanding signs, clarify where measurement of setbacks begin for illuminated signs, and permit signs for tall buildings at 20 feet or lower above ground elevation.

**ORDINANCE NO. 2019-**

**AN ORDINANCE TO MAKE AMENDMENTS TO THE SIGN CODE RELATED TO FREE STANDING SIGNS, CLARIFY WHERE SETBACK REQUIREMENTS ARE MEASURED FOR ILLUMINATED SIGNS, AND PERMIT SOME SIGNS 20 FEET ABOVE GROUND ELEVATION, AND DEFINE ABANDONED SIGNS THEREBY AMENDING CHAPTER 19 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

**CHAPTER 19**

\*\*\*

**ARTICLE X: SIGN REGULATIONS  
DIVISION D: DISTRICT PROVISIONS**

\*\*\*

**§ 19.110 CLASS I SIGN DISTRICTS (R-1, R-1A, RS-1, SC).**

(a) *Regulations for freestanding identification signs.* All freestanding identification signs shall be located on the site of the use and are subject to any additional provisions of § 19.108(h).

\*\*\*

(6) *Illumination.* Illumination shall be permitted.

~~[Exception: any sign which is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of the illuminated sign and ~~[an adjoining single-family residential lot line]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**§ 19.111 CLASS II SIGN DISTRICTS (R-3, R-4, RM-12, RM-24, RM-50, RM-100, RO-24).**

(a) *Regulations for freestanding identification signs.* All freestanding identification signs shall be located on the site of the use.

\*\*\*

(6) *Illumination.* Illumination shall be permitted.

~~[Exception: any sign which is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**§ 19.112 CLASS III SIGN DISTRICTS (B-1, I-1).**

\*\*\*

(a) *Regulations for freestanding identification signs.* All freestanding identification signs shall be located on the site of the use.

\*\*\*

(6) *Illumination.*

\*\*\*

(B) ~~[Exception: any sign which is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**§ 19.113 CLASS IV SIGN DISTRICTS (B-2, C-1, C-4, IP, I-2, I-3, CO-1, CS-0.5, CS-1, FD-2, IT).**

(a) *Regulations for freestanding identification signs.* All freestanding identification signs must be located on the site of the use.

\*\*\*

(6) *Illumination.*

\*\*\*

(B) Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(b) *Regulations for building identification signs.*

\*\*\*

(2) *Wall signs.*

\*\*\*

(D) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between any illuminated wall sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(6) *Awning signs.* No awning shall be installed without approval of or revision to the final site and building plans or final development plans. Any elevation approved for an awning shall be permitted awning signage. Awning signs are counted as wall signs for the computation of allowed signage on a primary or secondary elevation.

(C) *Illumination.*

\*\*\*

(ii) Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated awning sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(7) *Canopy signs.* No canopy shall be installed without approval of or revision to the final site and building plans or final development plans. Any elevation approved for a canopy shall be permitted canopy signage.

\*\*\*

(C) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated canopy sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**§ 19.114 CLASS V SIGN DISTRICTS (CR-1, C-2, C-3).**

(a) *Regulations for freestanding identification signs.* All freestanding identification signs shall be located on the site of the use.

(1) *For buildings, shopping centers, or planned developments with a gross floor area of greater than 100,000 square feet.*

\*\*\*

(F) *Illumination.* Illumination shall be permitted.

Exception: There shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

(2) *For buildings, shopping centers, or planned developments with a gross floor area of 15,000 to 100,000 square feet.*

\*\*\*

(F) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(3) *For buildings, shopping centers or planned developments with a gross floor area of less than 15,000 square feet.*

\*\*\*

(F) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(b) *Regulations for building identification signs.*

\*\*\*

(6) *Awning signs.* No awning shall be installed without approval of or revision to the final site and buildings plans or final development plans. Any elevation approved for an awning shall be permitted awning signage.

\*\*\*

(C) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated awning sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(7) *Canopy signs.* No canopy shall be installed without approval of or revision to the final site and building plans or final development plans. Any elevation approved for a canopy shall be permitted canopy signage.

\*\*\*

(C) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated canopy sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

#### **§ 19.115 CLASS VI SIGN DISTRICT (CX-2).**

(a) *Regulations for freestanding identification signs.* All freestanding identification signs shall be located on the site of the use.

(1) *CX-2 District.*

(A) *Site identification sign.*

\*\*\*

(vi) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

(b) *Regulations for building identification signs.* All building identification signs shall be located on the site of the use.

\*\*\*

(2) *Maximum size and number of signs.*

(A) Towers of ten or more stories in height. One sign is allowed per wall up to a maximum of three signs per building. The maximum sign area of a wall sign shall not exceed 600 square feet per sign. All sign elements shall be located within 20 feet of the top of the building or within 20 feet of the ground level below the sign.

\*\*\*

**§ 19.115.02 CLASS VIII SIGN DISTRICTS (B-4, C-5, LX).**

\*\*\*

(b) *Regulations for building identification signs*

\*\*\*

(2) *Wall signs.*

\*\*\*

(I) *Illumination.* Illumination is permitted.

Exception: there shall be a minimum distance of 100 feet between any illuminated wall sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**DIVISION E: SPECIAL PROVISIONS**

\*\*\*

**§ 19.120 SIGNS FOR HIGH USAGE PARKS.**

\*\*\*

(c) *Freestanding identification signs.* Freestanding identification signs shall be located on the site of the use.

\*\*\*

(5) *Illumination.* Illumination is allowed.

Exception: ~~[any sign which is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential lot line]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

**§ 19.121 SIGNS FOR HOTELS.**

(b) *Identification signs.* Identification signs shall be located on the site of the use and shall comply with the following standards.

(1) *Freestanding identification sign.*

\*\*\*

(B) *Illumination.* Illumination shall be allowed.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

(2) *Wall Signs*

\*\*\*

(B) All hotels shall have signs which are internally illuminated and are mounted within 20 feet of the top of the wall on which the sign is located, but in no event shall it extend above the wall, or within 20 feet of the ground level below the sign.

\*\*\*

**§ 19.122 SIGNS FOR CLASS I (NEW) MOTOR VEHICLE SALES.**

\*\*\*

(c) *Identification signs.* Identification signs shall be located on the site of the use. In addition to the regulations of subsection (b) above, building identification signs shall comply with the following standards.

(1) *Freestanding identification signs.*

\*\*\*

(F) *Illumination.* Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

- (2) *Wall signs*. All identification signs shall be located on the site of the use.

\*\*\*

(C) *Illumination*. Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

#### § 19.123 SIGNS FOR GASOLINE SERVICE STATIONS.

\*\*\*

(c) *Identification signs*. All identification signs shall be located on the site of the use. In addition to the regulations of subsection (b) above, building identification signs shall comply with the following standards.

- (1) *Freestanding identification signs*.

\*\*\*

(F) *Illumination*. Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

- (2) *Wall sign*.

\*\*\*

(C) *Illumination*. Illumination shall be permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

- (4) *Service area canopy sign*.

\*\*\*

(C) *Illumination*. Illumination shall be permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated service area canopy sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

- (5) *Spandrel sign*.

\*\*\*

(C) *Illumination*. Illumination is permitted.

Exception: there shall be a minimum distance of 200 feet between the leading edge of any illuminated spandrel sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

\*\*\*

#### § 19.124 SIGNS FOR OFFICE BUILDINGS WITH SEVEN OR MORE STORIES.

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(b) *Identification signs*. Identification signs shall be located on the site of the use and comply with the following standards.

- (1) *Freestanding identification signs*.

\*\*\*

(B) *Illumination*. Illumination shall be permitted.

Exception: there shall be a minimum distance of 100 feet between the leading edge of any illuminated sign and ~~[an adjoining residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07(c)(5) for additional provisions on illumination and luminance.

(2) *Wall Signs.*

\* \* \*

(B) All signs shall be channel construction and shall be mounted within twenty (20) feet of the top of the wall on which the sign is located, but in no event shall it extend above the wall, or within 20 feet of the ground level below the sign. If the signs are illuminated, they shall be internally illuminated. See Section 19.108(d) and Section 21.301.07 (c)(5) for additional provisions on illumination and luminance.

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**§ 19.125.02 SIGNS FOR COLLEGE CAMPUSES AND SCHOOLS (K-12).**

\*\*\*

(b) *Identification signs.* Identification signs shall be located on the site of the use and shall comply with the following standards:

(1) *Freestanding Identification signs for college campuses.* Schools (K-12) follow standards within respective sign district.

\*\*\*

(C) *Illumination.* Illumination shall be allowed. ~~[Any sign that is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07 (c)(5) for additional provisions on illumination and luminance.

\*\*\*

(2) *Wall identification signs for college campuses.* Schools (K-12) follow standards within respective sign district.

\*\*\*

(B) *Illumination.* Illumination shall be allowed. ~~[Any sign that is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07 (c)(5) for additional provisions on illumination luminance.

\*\*\*

(3) *Directional identification signs.*

\*\*\*

(D) *Illumination.* Illumination shall be allowed. ~~[Any sign that is internally illuminated shall have an opaque face.]~~ There shall be a minimum distance of 50 feet between the leading edge of any illuminated sign and ~~[an adjoining single-family residential district boundary]~~ any parcel that is both residentially zoned and residentially used. See §§ 19.108(d) and 21.301.07 (c)(5) for additional provisions on illumination and luminance.

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney